

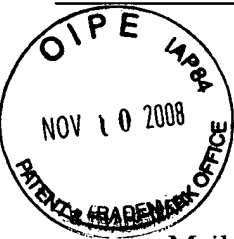
11-12-08 15 16/25  
Thomas A. Wootton

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# HONIGMAN

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November 10, 2008

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Re: *Inventors: Wen-Cherng Lee, et al.***  
***Express Mail No.: EH 333756475 US***  
***Application No.: 10/510,459***  
***Title: Tri-Substituted Heteroaryls and Methods of Making and Using the Same***  
***Our Ref. No.: 223255/A158 US/120994***

Enclosed for filing please find:

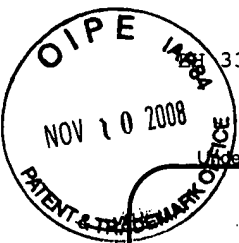
- 1) Transmittal Form PTO/SB/21;
- 2) Fee Transmittal Form PTO/SB/17;
- 3) Petition for Extension of Time Form PTO/SB/22;
- 4) Response to Office Action of May 8, 2008; and
- 5) Certificate of Filing by Express Mail.

Very truly yours,

HONIGMAN MILLER SCHWARTZ AND COHN LLP

A handwritten signature in cursive script, appearing to read "Thomas A. Wootton".

Thomas A. Wootton



333756475 US

PTO/SB/21 (10-08)

Approved for use through 11/30/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

|                        |                       |
|------------------------|-----------------------|
| Application Number     | 10/510,459            |
| Filing Date            | October 4, 2004       |
| First Named Inventor   | Wen-Cherng Lee        |
| Art Unit               | 1625                  |
| Examiner Name          | Charanjit S. Aulakh   |
| Attorney Docket Number | 223255/A158 US/120994 |

**ENCLOSURES (Check all that apply)**

|  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input checked="" type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below):<br>Response to OA of May 8, 2008<br>Certificate of Express Mail<br>Post Card Receipt |
| <b>Remarks</b>   |  |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |  |          |       |
|--------------|--|----------|-------|
| Firm Name    | Honigman Miller Schwartz and Cohn, LLP |          |       |
| Signature    |  |          |       |
| Printed name | Thomas A. Wootton                      |          |       |
| Date         | November 10, 2008                      | Reg. No. | 35004 |

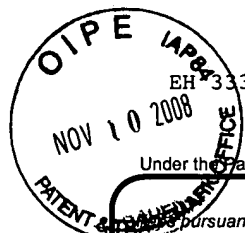
**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                       |  |      |  |
|-----------------------|--|------|--|
| Signature             |  |      |  |
| Typed or printed name |  | Date |  |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



EH 333756475 US

PTO/SB/17 (10-08)

Approved for use through 06/30/2010. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2009

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

**Complete if Known**

|                      |                       |
|----------------------|-----------------------|
| Application Number   | 10/510,459            |
| Filing Date          | October 4, 2004       |
| First Named Inventor | Wen-Cherng Lee        |
| Examiner Name        | Charanjit S. Aulakh   |
| Art Unit             | 1625                  |
| Attorney Docket No.  | 223255/A158 US/120994 |

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 503145 Deposit Account Name: Honigman

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 330         | 165                   | 540         | 270                   | 220              | 110                   |                |
| Design           | 220         | 110                   | 100         | 50                    | 140              | 70                    |                |
| Plant            | 220         | 110                   | 330         | 165                   | 170              | 85                    |                |
| Reissue          | 330         | 165                   | 540         | 270                   | 650              | 325                   |                |
| Provisional      | 220         | 110                   | 0           | 0                     | 0                | 0                     |                |

**2. EXCESS CLAIM FEES****Fee Description**

|  | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues)            | 52       | 26                    |
| Each independent claim over 3 (including Reissues) | 220      | 110                   |
| Multiple dependent claims                          | 390      | 195                   |

|                     |                     |                 |                      |                                      |
|---------------------|---------------------|-----------------|----------------------|--------------------------------------|
| <b>Total Claims</b> | <b>Extra Claims</b> | <b>Fee (\$)</b> | <b>Fee Paid (\$)</b> | <b>Multiple Dependent Claims</b>     |
| - 20 or HP =        | x                   | =               |                      | <b>Fee (\$)</b> <b>Fee Paid (\$)</b> |

HP = highest number of total claims paid for, if greater than 20.

|                      |                     |                 |                      |
|----------------------|---------------------|-----------------|----------------------|
| <b>Indep. Claims</b> | <b>Extra Claims</b> | <b>Fee (\$)</b> | <b>Fee Paid (\$)</b> |
| - 3 or HP =          | x                   | =               |                      |

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

|                     |                     |   |                 |                      |
|---------------------|---------------------|---|-----------------|----------------------|
| <b>Total Sheets</b> | <b>Extra Sheets</b> | <b>Number of each additional 50 or fraction thereof</b> | <b>Fee (\$)</b> | <b>Fee Paid (\$)</b> |
| - 100 =             | / 50 =              | (round up to a whole number) x                          | =               |                      |

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Extension Fee for Filing Response to Office Action **Fees Paid (\$)** \$1110.00**SUBMITTED BY**

|                   |                   |   |                          |
|-------------------|-------------------|---|--------------------------|
| Signature         |                   | Registration No. (Attorney/Agent) 35004 | Telephone (269) 337-7706 |
| Name (Print/Type) | Thomas A. Wootton |   | Date November 10, 2008   |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## **CERTIFICATE OF FILING BY EXPRESS MAIL UNDER 37 CFR 1.10**

This is to certify that the following documents were mailed by U.S. Postal Service Express Mail, Reference No. EH 333756475 US to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 10, 2008.

- 1) Transmittal Form PTO/SB/21;
- 2) Fee Transmittal Form PTO/SB/17;
- 3) Petition for Extension of Time Form PTO/SB/22;
- 4) Response to Office Action of May 8, 2008; and
- 5) Certificate of Filing by Express Mail.

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

By: sandy sinotte